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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,171	12/04/2001	Jeremy Burr	5038-138	2907

7590 10/06/2003  
MARGER JOHNSON & McCOLLOM, P.C.  
1030 S.W. Morrison Street  
Portland, OR 97205

EXAMINER

PRIZIO JR, PETER

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/006,171

Applicant(s)

BURR ET AL.

Examiner

Peter Prizio

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: the victim loop does not have a reference number in Fig. 4, but is referenced on page 10, line 9. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.

- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The disclosure is objected to because of the following informalities: The lettered items listed above should not be underlined.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8, 10-12, 14, 18-20, 22, 23, 24 and 26 are rejected under 35 U.S.C. 102(a) as being anticipated by Japanese Patent Application Laid-Open No. P2001 – 159948A to Shimono.

4. Regarding claim 1, Shimono teaches a system for inductively transferring electrical power to a computer peripheral device during normal operation (Drawings 1, 3 & 17) including: a source loop (L<sub>x</sub>), a loop power circuit (3, 4, 8 & 9), a power source coupler (V<sub>cc</sub>, Gnd), a peripheral device (1) having a victim loop (L<sub>m</sub>) to be inductively coupled to the base unit (Detailed Description, Paragraph 18).

5. Regarding claim 2, Shimono (Drawing 1), as applied to claim 1, teaches a mouse (1).
6. Regarding claim 3, Shimono (Drawing 1), as applied to claim 2, teaches a base unit incorporated in a mouse pad (2) (Detailed Description, Paragraph 11).
7. Regarding claim 4, Shimono (Drawing 16), as applied to claim 1, teaches a base unit comprising a first area with higher magnetic permeability (16) and a second area (14).
8. Regarding claim 5, Shimono (Drawing 16), as applied to claim 1, teaches a peripheral device comprising a first area with higher magnetic permeability (13) and a second area (11).
9. Regarding claim 6, Shimono, as applied to claim 5, teaches a peripheral device comprising a data transmitter and antenna (Detailed Description, Paragraph 22).
10. Regarding claims 7 and 8, Shimono (Drawing 2), as applied to claim 1, teaches a source loop having a solenoid shape (Lx) comprising one or more additional source loops (Ly).
11. Regarding claim 10, Shimono (Drawing 17), as applied to claim 1, teaches a data transmitter coupled to the peripheral device (7) and a data receiver coupled to the base unit (8).
12. Regarding claims 11 and 12, Shimono, as applied to claim 10, teaches a radio frequency data transmitter and receiver (Detailed Description, Paragraph 22).
13. Regarding claims 14 and 23, Shimono (Drawings 1 & 12) teaches a system and method for supplying power to a computer mouse (1) comprising: a base unit (2) having

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a power signal input connectable to a power source (V1), a magnetic source loop (Ly), a victim loop (Lm) in the mouse coupled to a load circuit (R3) while the source loop is proximate to the computer peripheral device (Detailed Description, Paragraph 20).

14. Regarding claim 18, Shimono (Drawing 17), as applied to claim 14 above, teaches a bus (DAT, CLK, Vcc, Gnd), which powers a source loop signal generator (3) coupled to a magnetic source loop (Ly).

15. Regarding claim 19, Shimono, as applied to claim 18 above, teaches an oscillator (Detailed Description, Paragraph 11).

16. Regarding claim 20, Shimono, as applied to claim 19 above, teaches an oscillator which oscillates above 60 cycles per second (Detailed Description, Paragraph 18).

17. Regarding claim 22, Shimono (Drawing 17), as applied to claim 14 above, teaches a horizontally overlapped source loop (Lx) and victim loop (Ly).

18. Regarding claim 24, Shimono, as applied to claim 23 above, teaches a power signal that is a source loop driving signal (Detailed Description, Paragraph 21).

19. Regarding claim 26, Shimono (Drawing 17), as applied to claim 23 above, teaches a power signal coupled to a bus on a personal computer (DAT, CLK, Vcc, Gnd Grouping).

20. Claims 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by published UK Patent Application GB 2,314,470 to Tien. Tien (Fig. 2 & 3) teaches a method of charging a rechargeable battery (24) in a computer mouse (30) that has a magnetic victim loop (21) coupled to a battery recharging circuit (20) comprising:

creating a magnetic field by driving a magnetic source loop (14) with a magnetic source loop driving signal (13), causing the magnetic field to interact with the magnetic victim loop in the mouse (Page 6, Lines 17-21), accepting a power signal from a power source (111), converting the power signal in to the magnetic source loop driving signal (11, 12, and 13), and generating an oscillating signal from the power signal using a pulse width modulation circuit (12).

***Claim Rejections - 35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 9, 13, 15, 21, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimono, as applied to claims 1 and 14 above, in view of Tien.

23. Regarding claims 9, 13, and 15 Tien (Fig. 2) teaches rechargeable battery (24) and a recharging circuit (20) coupled between the victim loop (21) and the battery. Tien also teaches a peripheral device that is in operative condition when not inductively coupled to the base device (Fig. 3). It would have been obvious to one skilled in the art to modify Shimono with Tien in order to permit use of a peripheral device when not in the proximity of the source loop by incorporating a rechargeable battery that is charged

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during the operation when inductively coupled to the source loop, further, it would have been obvious to couple the rechargeable battery to the load in order to drive the load.

24. Regarding claim 21, Tien (Fig. 3) teaches a docking cradle (40) having a battery recharging circuit (10). It would have been obvious to one skilled in the art to modify Shimono with Tien for the benefit of charging the mouse when the mouse is not in use.

25. Regarding claim 25, Tien (Fig. 1) teaches a rectifying circuit (112) to rectify the power signal. It would have been obvious to one skilled in the art to modify Shimono with Tien in order to convert an AC power signal in to a DC power signal.

26. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimono, as applied to claim 14 above, in view of US Patent 4,754,268 to Mori.

Mori (Fig. 1) teaches a mouse with a positional circuit (20) and a wireless data transmitter (10) powered by a power source (Col. 2, Line 16). It would have been obvious to one skilled in the art to modify Shimono with Mori for the benefit of an inductively powered wireless mouse that powers a positional circuit and a wireless data transmitter reducing the need for batteries in a wireless mouse.

27. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tien, as applied to claim 28 above, in view of Shimono. Shimono (Drawing 17) teaches accepting a power signal from a computer bus (DAT, CLK, Vcc, Gnd Grouping). It would have been obvious to one skilled in the art to modify Tien with Shimono for the benefit of powering a computer mouse using power supplied by the computer to reduce the number of AC outlets required by a PC.



**Conclusion**

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 4,031,449 to Trombly.

US Patent 5,428,521 to Kigawa et al.

UK Patent Application GB 2,094,574 to Trisa.

The following publication is **not** prior art and was not relied upon:

US Patent Application Publication US 2003/0048254

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2000

Peter Prizio  
Examiner  
Art Unit 2674

PP

Application/Control Number: 10/006,171

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PP

  
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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2300

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